

**2005 DRAFTING REQUEST****Bill**Received: **04/18/2005**Received By: **chanaman**Wanted: **As time permits**

Identical to LRB:

For: **Revisor of Statutes**By/Representing: **Bruce Hoesly**This file may be shown to any legislator: **NO**Drafter: **chanaman**

May Contact:

Addl. Drafters:

Subject: **State Govt - miscellaneous**

Extra Copies:

Submit via email: **YES**Requester's email: **don.dyke@legis.state.wi.us**Carbon copy (CC:) to: **bruce.hoesly@legis.state.wi.us**  
**laura.rose@legis.state.wi.us**

---

**Pre Topic:**

No specific pre topic given

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**Topic:**

Revisor's correction bill

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**Instructions:**

See Attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	chanaman 04/18/2005	csicilia 10/06/2005		_____			
/P1		csicilia 11/21/2005	pgreensl 10/06/2005	_____	lnorthro 10/06/2005		
/P2		csicilia 11/23/2005	rschluet 11/21/2005	_____	lemery 11/21/2005		

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/P3	csicilia 11/29/2005	csicilia 11/29/2005	chaugen 11/23/2005	_____	sbasford 11/23/2005		
/1			jfrantze 11/29/2005	_____	mbarman 11/29/2005	lemery 01/30/2006	

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<END>

↳ Not  
Needed

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Senate per  
Don Dyke

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PA's this is  
a /1 version  
of a revisor's  
bill.

CJS

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/1 cjs 11/29/05  
J 11/29  
JRS 11/29

Vers.      Drafted      Reviewed      Typed      Proofed      Submitted      Jacketed      Required

11/23/2005 \_\_\_\_\_ 11/23/2005

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LPS:

Please send rough  
copy and one  
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Thanks. Chris

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gs*  
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*PL*  
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CJS

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/?	chanaman	10/15/05 p1 js	10/16/05 js	10/16/05 js			
FE Sent For:				10/16/05 js			

<END>

PA's  
Please send the  
rough copy and one  
single-sided typed  
copy to Bruce Hoesly  
at RSB

Thanks CJS

Please return to LRB when you have completed review

This is 05 nb 2

2005 - 2006 LEGISLATURE

LRB-2825/0

SA✓

Mon Oct 10, if possible

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

SA all  
x-ved all

④ \*\*\*\*\* NOTE: I am having drafters review a ~~few~~ <sup>few</sup> sections of the bill. If they will suggest any changes on the /P2 let you know - or if by e-mail if that works out to be quicker. CJS

Revisor's bill:  
Do NOT Gen Cat  
Do NOT Sort

BEM

ys

1

AN ACT ☒ relating to: ???

INS A

Analysis by the Legislative Reference Bureau

INS B

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2

(END)

④ \*\*\*\*\* NOTE: Should ~~the~~ the analysis ~~include~~ include mention of serial commas and the change from "which" to "that". These changes have been made in some places without any comment in the revisor's notes. CJS

2005-2006 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB  
.....

INS A

1 ~~AN ACT relating to~~ repealing, consolidating, renumbering, amending, and  
2 revising various provisions of the statutes for the purpose of correcting errors,  
3 supplying omissions, correcting and clarifying references, eliminating defects,  
4 anachronisms, conflicts, ambiguities, and obsolete provisions, reconciling  
5 conflicts, and repelling unintended repeals (Revisor's Correction Bill).

*Analysis by the Legislative Reference Bureau*

INS B

This revisor's revision bill is explained in the NOTES provided by the revisor of statutes in the body of the bill.

INS S

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

6 SECTION 1. 6.97 (2) of the statutes is amended to read:

7 6.97 (2) Whenever any individual who votes by absentee ballot is required to  
8 provide identification in order to be permitted to vote and does not provide the  
9 required identification, the inspectors shall write on the back of the absentee ballot  
10 the serial number of the individual corresponding to the number kept at the election  
11 on the poll list or other list maintained under s. 6.79 and the notation "s. 6.97". The  
12 inspectors shall indicate on the list the fact that the individual is required to ~~provided~~  
13 provide identification but did not do so. The inspectors shall promptly notify the  
14 municipal clerk or executive director of the municipal board of election  
15 commissioners of the name, address, and serial number of the individual. The  
16 inspectors shall then place the ballot inside an envelope on which the name and



1 serial number of the elector is entered and shall place the envelope in a separate  
2 carrier envelope.

NOTE: Corrects spelling. ✓

3 **SECTION 2. 6.97 (4) of the statutes is amended to read:**

4 6.97 (4) Whenever a board of canvassers receives timely notification from the  
5 municipal clerk or executive director of the board of election commissioners under  
6 sub. (3) that an individual who has voted under this section is qualified to vote in the  
7 ward or election district where the individual's ballot is cast, the board of ~~canvasers~~  
8 canvassers shall promptly reconvene and, if the ballot cast by the individual is  
9 otherwise valid, shall count the ballot and adjust the statements, certifications and  
10 determinations accordingly. If the municipal clerk or executive director transmits  
11 returns of the election to the county clerk or board of election commissioners, the  
12 municipal clerk or executive director shall transmit to the county clerk or board of  
13 election commissioners a copy of the amended returns together with all additional  
14 ballots counted by each board of canvassers. ✓

NOTE: Corrects spelling.

15 **SECTION 3. 8.05 (3) (f) of the statutes is amended to read:**

16 8.05 (3) (f) The ballot used for the referendum question shall be arranged under  
17 s. 5.60 (7) and shall ask: "Shall all candidates in the town of .... for elective town  
18 offices be nominated at a nonpartisan primary?"

NOTE: Corrects punctuation. The change has been made in the printed volumes.

Handwritten note: A circle around the question mark in the text above, with an arrow pointing to it from the word "strike". To the right, a box contains the text "?? ?" with arrows pointing to the first and second question marks, and the word "score" below it.

19 **SECTION 4. Chapter 9 (title) of the statutes is amended to read:**

20 **CHAPTER 9**

21 **POST-ELECTION POST-ELECTION ACTIONS; DIRECT LEGISLATION**

NOTE: Corrects spelling. The change has been made in the printed volumes. ✓

22 **SECTION 5. 13.48 (21) (b) of the statutes is amended to read:**

\*\*\*\* NOTE: I made a technical change. CJS

1           13.48 (21) (b) If the state does not wish to exercise the option, and if the building  
2 is sold to any ~~third~~ 3rd party, such agreement shall provide that the state has the  
3 right to receive an amount equal to construction grant from the net proceeds of any  
4 such sale after the mortgage has been satisfied and all other secured debts have been  
5 paid. This right shall be paramount to the right of the college to the proceeds upon  
6 such sale.

NOTE: Makes spelling consistent with current style and the majority of statutes.

7           **SECTION 6.** 15.105 (23) (b) (intro.) of the statutes is amended to read:

8           15.105 (23) (b) (intro.) No member of the incorporation review board may  
9 review a petition referred to the board under s. 66.0203 (8) (b) if any of the following  
10 apply applies:

NOTE: Corrects grammar.

11          **SECTION 7.** 15.107 (9) of the statutes is repealed.

NOTE: By its terms, s. 15.107 (9) has no application after June 30, 2002.

12          **SECTION 8.** 16.007 (7) of the statutes is amended to read:

13           16.007 (7) EXCEPTION. This section shall not be construed as relieving any 3rd  
14 party 3rd-party liability or releasing any joint tort-feasor.

NOTE: Corrects spelling.

15          **SECTION 9.** 16.135 of the statutes is repealed.

NOTE: By its terms, s. 16.135 has no application after June 30, 2002.

16          **SECTION 10.** 16.63 (4) (b) 4. of the statutes is amended to read:

17           16.63 (4) (b) 4. A security interest perfected under this paragraph is  
18 enforceable against the debtor, any assignee or grantee, and all ~~third~~ 3rd parties,  
19 including creditors under any lien obtained by judicial proceedings, subject only to  
20 the rights of any ~~third~~ 3rd parties holding security interests in the tobacco settlement  
21 revenues previously perfected under this paragraph. Unless the applicable security

\*\*\*\*\* NOTE: Section 23.0915(2) is x-ref'd in ~~several~~ statutes. Those statutes should be amended to reflect this repeal. CJS

1 agreement provides otherwise, a perfected security interest in the tobacco  
2 settlement revenues is a continuously perfected security interest in all tobacco  
3 settlement revenues existing on the date of the agreement or arising after the date  
4 of the agreement. A security interest perfected under this paragraph has priority  
5 over any other lien created by operation of law or otherwise, which subsequently  
6 attaches to the tobacco settlement revenues.

NOTE: Makes spelling consistent with current style and the majority of statutes. ✓

7 **SECTION 11. 16.63 (4) (c) 3. of the statutes is amended to read:**

8 16.63 (4) (c) 3. The sale, assignment, or transfer is perfected automatically as  
9 against ~~third~~ <sup>3rd</sup> parties, including any ~~third~~ <sup>3rd</sup> parties with liens created by operation  
10 of law or otherwise, upon attachment under ch. 409.

NOTE: Makes spelling consistent with current style and the majority of statutes.

11 **SECTION 12. 19.32 (1b) of the statutes is repealed.**

\*\*\*\*\* NOTE:  
See my change.  
CJS

NOTE: Section 19.32 (1b) defines "committed person" as used in ss. 19.33 to 19.39. "Committed person" does not appear in ss. 19.33 to 19.39.

12 **SECTION 13. 21.80 (3) (d) (intro.) of the statutes is amended to read:**

13 21.80 (3) (d) *Exceptions.* (intro.) An employer is not required to reemploy a  
14 person under this section if the employer shows that any of the following apply  
15 applies:

\*\*\*\*\* NOTE: See my change to note. CJS

NOTE: Corrects grammar.

16 **SECTION 14. 23.0915 (2) of the statutes is repealed.**

NOTE: Section 23.0915 (2) (e) provides: "Paragraphs (a) to (d) do not apply after June 30, 2000." Except for s. 23.0915 (2) (e), s. 23.0915 (2) has no other paragraphs. ✓

17 **SECTION 15. 23.33 (6m) (a) of the statutes is renumbered 23.33 (6m).** ✓

NOTE: Section 23.33 (6m) has no other paragraphs.

18 **SECTION 16. 23.51 (2p), (3c), (3g), (3m), (5), (5g), (6), (6m), (9), and (10) of the**  
19 **statutes are repealed.**

NOTE: 2003 Wis. Act 139 changed the term "assessment" or "payment" to "surcharge" throughout the statutes, including in all of the definitions in s. 23.51 except

\*\*\*\*\* NOTE: ~~the~~ I think this repeal should be removed. "Committed person" appears in the phrase "committed or incarcerated person" in several places within the relevant sections. CJS

④ \*\*\*\* NOTE:  
There is an x-ref  
to this statute  
at s. 29.271(11)  
that should  
be treated  
to reflect  
this repeal. CJS

s. 23.51 (2p) where "assessment" was inadvertently left unchanged, in relation to certain costs assessed in court cases under ch. 814. However, in the remainder of ch. 23, Act 139 removed all of the references to the specific surcharges that were defined in s. 23.51 and replaced them with a general reference to "surcharges under ch. 814." As a result those defined terms are never used in ch. 23 and the definitions are now removed. ✓

**SECTION 17.** 24.60 (1v) of the statutes is amended to read:

24.60 (1v) "Federated public library system" means a federated public library system whose territory lies within 2 or more counties.

NOTE: Inserts missing quotation marks. INSC

**SECTION 18.** 29.307 (2) of the statutes is repealed. ✓

NOTE: Section 29.307 (3) provides: "Subsection (2) and the rules promulgated under sub. (2) do not apply after June 30, 2004."

**SECTION 19.** 29.307 (3) of the statutes is amended to read:

29.307 (3) ~~Subsection (2) and the~~ The rules promulgated under ~~sub. (2), 2003~~ s. 29.307(2) stats., do not apply after June 30, 2004. ✓

NOTE: See the previous section of this bill.   
 \*\*\*\* NOTE: See my technical change. CJS

**SECTION 20.** 30.285 (1) (intro.) of the statutes is amended to read:

30.285 (1) (intro.) On an annual basis, the department shall keep records of all of the following: ✓

NOTE: Inserts missing colon. The change has been made in the printed volumes. ✓

**SECTION 21.** 36.11 (34) of the statutes is repealed.

NOTE: By its terms, s. 36.11 (34) has no application after June 30, 2003. ✓

**SECTION 22.** 38.24 (4) (intro.) of the statutes is amended to read:

38.24 (4) FEE EXEMPTIONS. (intro.) A graduate of an associate degree program or vocational diploma program who is a resident of this state is exempt from the fees under sub. (1m) (b) and (c) for up to 6 credits within the same occupational program for which the degree or diploma was awarded if the graduate applies for the exemption within 6 months of graduation and any of the following apply applies: ✓

NOTE: Corrects grammar. ✓

**SECTION 23.** 41.11 (1) (h) of the statutes is amended to read:

INS  
D

45.01 (11)(b)  
(intro.)

41.11 (1) (h) Annually report to the senate natural resources committee and the assembly committee on tourism the activities, receipts and disbursements of the division of tourism department for the previous fiscal year.

NOTE: 1995 Wis. Act 27 created the department of tourism in ch. 41 and renumbered provisions in ch. 560 relating to the division of tourism to ch. 41. Section 41.11 (1) (h) was renumbered from s. 560.23 (1) (h) but was not amended accordingly. Department is defined as the department of tourism in ch. 41.

SECTION 24. 45.34 (2) (intro.) of the statutes is amended to read:

45.34 (2) MIDDLE EAST CRISIS. (intro.) A person shall be considered to have served in a Middle East crisis if, because of active duty in the U.S. armed forces or forces incorporated as a part of U.S. armed forces, any of the following apply applies:

NOTE: Corrects grammar.

SECTION 25. 45.43 (1) (am) of the statutes is amended to read:

45.43 (1) (am) Except as provided under par. (b), the county board may appoint assistant county veterans' service officers who shall be Wisconsin residents who served on active duty, other than active duty for training, under honorable conditions in the U.S. armed forces or in forces incorporated as part of the U.S. armed forces and who meet at least one of the conditions listed in s. 45.35 (5) 45.001 (4) (a) 1. a. to d. and at least one of the conditions listed in s. 45.35 (5) 45.001 (4) (a) 2. a. to c.

NOTE: Section 45.35 (5) was renumbered to 45.001 (4) by 2001 Wis. Act 103.

SECTION 26. 45.71 (3) (b) of the statutes is amended to read:

45.71 (3) (b) Attorneys Attorney fees.

NOTE: Makes spelling consistent with current style and the majority of statutes.

SECTION 27. 45.74 (6m) (intro.) of the statutes is amended to read:

45.74 (6m) PREVIOUS LOANS. (intro.) The person has a previous loan outstanding under this subchapter, unless any of the following apply applies:

NOTE: Corrects grammar.

SECTION 28. 45.745 (6) (intro.) of the statutes is amended to read:

1           45.745 (6) PREVIOUS LOANS. (intro.) If the person has a previous loan  
2           outstanding under this subchapter, any of the following apply applies: ✓

NOTE: Corrects grammar.

INS  
E

3           **SECTION 29.** 46.279 (1) (c) of the statutes is amended to read: ✓

4           46.279 (1) (c) "Nursing facility" has the meaning given under 42 USC ~~1369r~~  
5           1396r (a). ✓

NOTE: Corrects cross-reference. ✓

6           **SECTION 30.** 48.357 (1) (a) of the statutes is amended to read:

7           48.357 (1) (a) The person or agency primarily responsible for implementing the  
8           dispositional order, the district attorney, or the corporation counsel may request a  
9           change in the placement of the child or expectant mother, whether or not the change  
10          requested is authorized in the dispositional order,, as provided in par. (am) or (c),  
11          whichever is applicable.

NOTE: Deletes unnecessary comma. The change has been made in the printed volumes. ✓

12          **SECTION 31.** 49.45 (6m) (ag) (intro.) of the statutes is amended to read:

13          49.45 (6m) (ag) (intro.) Payment for care provided in a facility under this  
14          subsection made under s. 20.435 (4) (b), (gp), (o), (pa), (~~o~~), (w), or (wm) shall, except  
15          as provided in pars. (bg), (bm), and (br), be determined according to a prospective  
16          payment system updated annually by the department. The payment system shall  
17          implement standards that are necessary and proper for providing patient care and  
18          that meet quality and safety standards established under subch. II of ch. 50 and ch.  
19          150. The payment system shall reflect all of the following:

NOTE: Places cross-references in alphabetical order consistent with current style. ✓

20          **SECTION 32.** 49.45 (6m) (bm) (intro.) of the statutes is amended to read:

1           49.45 (6m) (bm) (intro.) Except as provided in par. (bo), the department may  
2       establish payment methods for a facility for which any of the following apply applies:

NOTE: Corrects grammar. ✓

3           **SECTION 33.** 49.45 (46) of the statutes is repealed.

NOTE: By its terms, s. 49.45 (46) has no application after June 30, 2003. ✓

4           **SECTION 34.** 49.46 (2) (b) 18. of the statutes is repealed.

NOTE: By its terms, s. 49.46 (2) (b) 18. has no application after June 30, 2003. ✓

5           **SECTION 35.** 49.46 (2) (d) of the statutes is amended to read:

6           49.46 (2) (d) Benefits authorized under this subsection may not include  
7       payment for that part of any service payable through ~~3rd party~~ 3rd-party liability  
8       or any federal, state, county, municipal or private benefit system to which the  
9       beneficiary is entitled. "Benefit system" does not include any public assistance  
10      program such as, but not limited to, Hill-Burton benefits under 42 USC 291c (e), in  
11      effect on April 30, 1980, or relief funded by a relief block grant.

NOTE: Corrects spelling. ✓

12          **SECTION 36.** 49.47 (6) (c) 2. of the statutes is amended to read:

13          49.47 (6) (c) 2. That part of any service otherwise authorized under this section  
14      which is payable through ~~3rd party~~ 3rd-party liability or any federal, state, county,  
15      municipal or private benefit systems, to which the beneficiary may otherwise be  
16      entitled.

as affected by 2003 Wisconsin Act 214

NOTE: Corrects spelling. ✓

17          **SECTION 37.** 66.1031 (3) (a) of the statutes is recreated to read:

18          66.1031 (3) (a) Alter or void the established width.

NOTE: Section 80.64 was renumbered by 2003 Wis. Act 214 to s. 66.1031. Due to a transcription error s. 66.1031 (3) (a) was inadvertently omitted from the published volumes.

19          **SECTION 38.** 70.18 (1) of the statutes is amended to read:

↑ regardless of its omission from the printed volumes ↑

⑨\*\*\*\* NOTE: See my changes to action phrase. I am wary about "is recreated to read", not least because I cannot find a precedent (I looked back through 1995). I thought the "as affected by" would be a way to establish the existence of the statute so that it could be repealed and recreated. OK? CJS

1           70.18 (1) Personal property shall be assessed to the owner thereof, except that  
2           when it is in the charge or possession of some person other than the owner it may be  
3           assessed to the person so in charge or possession of the same. Telegraph and  
4           telephone poles, posts, railroad ties, lumber and all other manufactured forest  
5           products shall be deemed to be in the charge or possession of the person in occupancy  
6           or possession of the premises upon which the same shall be stored or piled, and the  
7           same shall be assessed to such person, unless the owner or some other person  
8           residing in the same assessment district, shall be actually and actively in charge and  
9           possession thereof, in which case it shall be assessed to such resident owner or other  
10          person so in actual charge or possession; but nothing contained in this clause  
11          subsection shall affect or change the rules prescribed in s. 70.13 respecting the  
12          district in which such property shall be assessed.

NOTE: Corrects cross-reference.

13           **SECTION 39.** 77.89 (2) (a) of the statutes is amended to read:

14           77.89 (2) (a) Each municipal treasurer shall pay 20% of each payment received  
15           under sub. (1) and under ss. 77.84 (2) (a), and (am), 77.85, and 77.876 to the county  
16           treasurer and shall deposit the remainder in the municipal treasury. The payment  
17           to the county treasurer for money received before November 1 of any year shall be  
18           made on or before the November 15 after its receipt. For money received on or after  
19           November 1 of any year, the payment to the county treasurer shall be made on or  
20           before November 15 of the following year.

NOTE: Corrects punctuation.

21           **SECTION 40.** 77.996 (6) of the statutes is amended to read:



9 \*\*\*\*\* NOTE: See my changes to note. CJS the revisor's

1 77.996 (6) "Gross receipts" has the meaning given in s. 77.51 (4) (a), (b) 1. and  
2 5., (c) 1. to 4., and (d). "Gross receipts" does not include the license fee imposed under  
3 s. ~~77.9661~~ 77.9961 (1m) that is passed on to customers.

NOTE: Inserts correct cross-reference. There is no s. 77.9661. Section 77.966 creates definitions applicable to ~~s.~~ 77.996 and s. 77.9961 (1m) imposes a license fee on dry cleaning facilities.

to 77.9965

4 **SECTION 41.** 79.03 (3c) (f) of the statutes is amended to read:

5 79.03 (3c) (f) *Distribution amount.* If the total amounts calculated under pars.  
6 (c) to (e) exceed the total amount to be distributed under this subsection, the amount  
7 paid to each eligible municipality shall be paid on a prorated basis. The total amount  
8 to be distributed under this subsection from s. 20.835 (1) (b) is \$10,000,000 beginning  
9 in 1996 and ending in 1999; and \$11,000,000 in the year 2000 and in the year 2001.  
10 The total amount to be distributed under this subsection from ~~ss.~~ s. 20.855 (4) (rb),  
11 2001 stats., and s. 20.835 (1) (b) and 20.855 (4) (rb), 2001 stats., in 2002 is \$11,110,000  
12 and the total amount to be distributed under this subsection from s. 20.835 (1) (b) in  
13 2003 is \$11,221,100 less the reductions under s. 79.02 (3) (c) 3. ✓

NOTE: Changes order of citations in conformity with current style. ✓

14 **SECTION 42.** 79.03 (4) of the statutes is amended to read:

15 79.03 (4) In 1991, the total amount to be distributed under ss. 79.03, 79.04, and  
16 79.06 from s. 20.835 (1) (d) is \$869,000,000. In 1992, the total amount to be  
17 distributed under ss. 79.03, 79.04, and 79.06 from s. 20.835 (1) (d) is \$885,961,300.  
18 In 1993, the total amount to be distributed under ss. 79.03, 79.04, and 79.06 from s.  
19 20.835 (1) (d) is \$903,680,500. In 1994, the total amounts to be distributed under this  
20 section and ss. 79.04 and 79.06 from s. 20.835 (1) (d) are \$746,547,500 to  
21 municipalities and \$168,981,800 to counties. Beginning in 1995 and ending in 2001,  
22 the total amounts to be distributed under ss. 79.03, 79.04, and 79.06 from s. 20.835

(1) (d) are \$761,478,000 to municipalities and \$168,981,800 to counties. In 2002, the total amounts to be distributed under ss. 79.03, 79.04, and 79.06 from ss. s. 20.855 (4) (rb), 2001 stats., and s. 20.835 (1) (d) and 20.855 (4) (rb), 2001 stats., are \$769,092,800 to municipalities and \$170,671,600 to counties. In 2003, the total amounts to be distributed under ss. 79.03, 79.04, and 79.06 from s. 20.835 (1) (d), (m), (t), and (u) are \$776,783,700 to municipalities, less the reductions under s. 79.02 (3) (c) 3., and \$172,378,300 to counties, less the reductions under s. 79.02 (3) (c) 3.

NOTE: Changes order of citations in conformity with current style. ✓ ✓

**SECTION 43.** 79.04 (7) (b) 1. of the statutes is renumbered 79.04 (7) (b).

NOTE: Section 79.04 (7) (b) does not contain other subdivisions. 2003 Wis. Act 31 created s. 79.04 (7) (b) 1. and 2. The creation of s. 79.04 (7) (b) 2. was removed from 2003 Wis. Act 31 by the governor's partial veto. ✓

**SECTION 44.** 82.03 (2) (a) of the statutes is recreated to read: *as affected by 2003 Wisconsin Act 214, repealed and*

82.03 (2) (a) A greater sum is authorized by the town meeting. (2)

NOTE: Section 81.01 (3) was renumbered by 2003 Wis. Act 214 to s. 82.03 (3). Due to a transcription error s. 82.03 (3) (a) was inadvertently omitted from the published volumes. (2)

**SECTION 45.** 85.205 (1) of the statutes is repealed.

NOTE: By its terms, s. 85.205 (1) has no application after June 30, 2002. ✓

**SECTION 46.** 85.205 (2) of the statutes is renumbered 85.205. ✓

NOTE: After the repeal of s. 85.205 (1) by this bill, s. 85.205 has no other subsections.

**SECTION 47.** 88.01 (4) of the statutes is amended to read:

88.01 (4) "Cost of construction" includes damages to lands both within and outside the district, reasonable ~~attorneys'~~ attorney fees for petitioners and the board, and all other reasonable and necessary expenses incurred in the organization of and in the construction and completion of the works of a drainage district. ✓

NOTE: Makes spelling consistent with current style and the majority of statutes.

→ \*\*\*\* NOTE: Should this change be made also at ss. 88.08(4) and **SECTION 48.** 97.02 (14) (a) of the statutes is amended to read: 802.05(3)(b)? CJS

(9) \*\*\*\* NOTE: See my changes to the action phrase and my \*\*\*\* note to the bill section treating s. 66.1031(3)(a). Also, see my changes to the note. CJS

1           97.02 (14) (a) Has partially or completely imbedded therein any nonnutritive  
2 object: provided, that this ~~clause~~ paragraph shall not apply in the case of any  
3 nonnutritive object if, in the judgment of the department as provided by regulations,  
4 such object is of practical functional value to the confectionary product and would not  
5 render the product injurious or hazardous to health;

NOTE: Corrects cross-reference. ✓

6           **SECTION 49.** 97.02 (14) (c) of the statutes is amended to read:

7           97.02 (14) (c) Bears or contains any nonnutritive substance; but this ~~clause~~  
8 paragraph shall not apply to a safe nonnutritive substance which is in or on  
9 confectionary by reason of its use for some practical functional purpose in the  
10 manufacture, packaging, or storing of the confectionary if the use of the substance  
11 does not promote deception of the consumer or otherwise result in adulteration or  
12 misbranding in violation of this chapter. The department may, for the purpose of  
13 avoiding or resolving uncertainty as to the application of this ~~clause~~ paragraph,  
14 promulgate rules allowing or prohibiting the use of particular nonnutritive  
15 substances.

NOTE: Corrects cross-reference. ✓

16           **SECTION 50.** 100.174 (1) (g) 2. of the statutes is amended to read:

17           100.174 (1) (g) 2. Delivery to a ~~3rd party~~ 3rd-party carrier for delivery to the  
18 buyer or the buyer's designee; or

NOTE: Corrects spelling. ✓

19           **SECTION 51.** 100.201 (2) (f) of the statutes is amended to read:

20           100.201 (2) (f) Maintain or make repairs of any equipment owned by a retailer  
21 except those used exclusively for selected dairy products. On such repairs the  
22 wholesaler shall make charges for the service and parts at the same prices as are

9 \*\*\*\*\* NOTE: This statute is x-ref'd in a number of other statutes. I think those statutes need to be treated to reflect this repeal. CJS

1 charged by ~~third~~ 3rd persons rendering such service in the community where the  
2 retailer is located but in no event shall the charges be less than the cost thereof to  
3 the wholesaler plus a reasonable margin of profit.

NOTE: Makes spelling consistent with current style and the majority of statutes. ✓

4 **SECTION 52.** 101.9208 (1) (b) of the statutes is repealed.

NOTE: By its terms, s. 101.9208 (1) (b) has no application after December 31, 2003. ✓

INS  
H

5 **SECTION 53.** 101.94 (4) (intro.) of the statutes is amended to read:

6 101.94 (4) (intro.) The department shall inspect manufactured homes  
7 manufactured in other states to be sold or intended to be sold in this state. For such  
8 out-of-state inspections, the department may contract for ~~3rd party~~ 3rd-party  
9 inspection by an inspection agency which has been approved by the department. The  
10 department shall monitor inspections conducted by ~~3rd party~~ 3rd-party inspection  
11 agencies to ensure the quality of those inspections. To obtain departmental approval,  
12 the inspection agency shall submit an application to the department accompanied  
13 by written materials evidencing that the agency is: ✓

NOTE: Corrects spelling.

14 \*\*\*\*\* NOTE: Enrolled AB-39 repeals this statute effective 12-1-05. But I think there is no harm in retaining the treatment provided here. OK? CJS

**SECTION 54.** 102.29 (1) of the statutes is amended to read:

15 102.29 (1) The making of a claim for compensation against an employer or  
16 compensation insurer for the injury or death of an employee shall not affect the right  
17 of the employee, the employee's personal representative, or other person entitled to  
18 bring action, to make claim or maintain an action in tort against any other party for  
19 such injury or death, hereinafter referred to as a 3rd party; nor shall the making of  
20 a claim by any such person against a 3rd party for damages by reason of an injury  
21 to which ss. 102.03 to 102.64 are applicable, or the adjustment of any such claim,  
22 affect the right of the injured employee or the employee's dependents to recover

1 compensation. The employer or compensation insurer who shall have paid or is  
2 obligated to pay a lawful claim under this chapter shall have the same right to make  
3 claim or maintain an action in tort against any other party for such injury or death.  
4 If the department pays or is obligated to pay a claim under s. 102.81 (1), the  
5 department shall also have the right to maintain an action in tort against any other  
6 party for the employee's injury or death. However, each shall give to the other  
7 reasonable notice and opportunity to join in the making of such claim or the  
8 instituting of an action and to be represented by counsel. If a party entitled to notice  
9 cannot be found, the department shall become the agent of such party for the giving  
10 of a notice as required in this subsection and the notice, when given to the  
11 department, shall include an affidavit setting forth the facts, including the steps  
12 taken to locate such party. Each shall have an equal voice in the prosecution of said  
13 claim, and any disputes arising shall be passed upon by the court before whom the  
14 case is pending, and if no action is pending, then by a court of record or by the  
15 department. If notice is given as provided in this subsection, the liability of the  
16 tort-feasor shall be determined as to all parties having a right to make claim, and  
17 irrespective of whether or not all parties join in prosecuting such claim, the proceeds  
18 of such claim shall be divided as follows: After deducting the reasonable cost of  
19 collection, one-third of the remainder shall in any event be paid to the injured  
20 employee or the employee's personal representative or other person entitled to bring  
21 action. Out of the balance remaining, the employer, insurance carrier or, if  
22 applicable, uninsured employers fund shall be reimbursed for all payments made by  
23 it, or which it may be obligated to make in the future, under this chapter, except that  
24 it shall not be reimbursed for any payments of increased compensation made or to  
25 be made under s. 102.18 (1) (bp), 102.22, 102.35 (3), 102.57 or 102.60. Any balance

1 remaining shall be paid to the employee or the employee's personal representative  
2 or other person entitled to bring action. If both the employee or the employee's  
3 personal representative or other person entitled to bring action, and the employer,  
4 compensation insurer or department, join in the pressing of said claim and are  
5 represented by counsel, the attorneys' attorney fees allowed as a part of the costs of  
6 collection shall be, unless otherwise agreed upon, divided between such attorneys as  
7 directed by the court or by the department. A settlement of any ~~3rd party~~ <sup>3rd-party</sup> claim shall  
8 be void unless said settlement and the distribution of the proceeds thereof is  
9 approved by the court before whom the action is pending and if no action is pending,  
10 then by a court of record or by the department.

NOTE: Makes spelling consistent with current style and the majority of statutes.

→ \*\*\*\* NOTE: I amended an instance of "3rd party" in the text of the statute. CJS

11 **SECTION 55.** 102.29 (2) of the statutes is amended to read:

12 102.29 (2) In the case of liability of the employer or insurer to make payment  
13 into the state treasury under s. 102.49 or 102.59, if the injury or death was due to the  
14 actionable act, neglect or default of a ~~third~~ 3rd party, the employer or insurer shall  
15 have a right of action against such ~~third~~ the 3rd party to recover the sum so paid into  
16 the state treasury, which right may be enforced either by joining in the action  
17 mentioned in sub. (1), or by independent action. Contributory negligence of the  
18 employee because of whose injury or death such payment was made shall bar  
19 recovery if such negligence was greater than the negligence of the person against  
20 whom recovery is sought, and the recovery allowed the employer or insurer shall be  
21 diminished in proportion to the amount of negligence attributable to such injured or  
22 deceased employee. Any action brought under this subsection may, upon order of the  
23 court, be consolidated and tried together with any action brought under sub. (1).

NOTE: Makes spelling consistent with current style and the majority of statutes.

1           **SECTION 56.** 102.29 (5) of the statutes is amended to read:

2           102.29 (5) An insurer subject to sub. (4) which fails to comply with the notice  
3           provision of that subsection and which fails to commence a ~~3rd party~~ 3rd-party  
4           action, within the 3 years allowed by s. 893.54, may not plead that s. 893.54 is a bar  
5           in any action commenced by the injured employee under this section against any  
6           such 3rd party subsequent to 3 years from the date of injury, but prior to 6 years from  
7           such date of injury. Any recovery in such an action is limited to the insured liability  
8           of the 3rd party. In any such action commenced by the injured employee subsequent  
9           to the 3-year period, the insurer of the employer shall forfeit all right to participate  
10          in such action as a complainant and to recover any payments made under this  
11          chapter. ✓

NOTE: Corrects spelling.

12          **SECTION 57.** 102.81 (2) of the statutes is amended to read:

13          102.81 (2) The department may retain an insurance carrier or insurance  
14          service organization to process, investigate and pay claims under this section and  
15          may obtain excess or stop-loss reinsurance with an insurance carrier authorized to  
16          do business in this state in an amount that the secretary determines is necessary for  
17          the sound operation of the uninsured employers fund. In cases involving disputed  
18          claims, the department may retain an attorney to represent the interests of the  
19          uninsured employers fund and to make appearances on behalf of the uninsured  
20          employers fund in proceedings under ss. 102.16 to 102.29. Section ~~20.918~~ 20.930 and  
21          subch. IV of ch. 16 do not apply to an attorney hired under this subsection. The  
22          charges for the services retained under this subsection shall be paid from the  
23          appropriation under s. 20.445 (1) (hp). The cost of any reinsurance obtained under  
24          this subsection shall be paid from the appropriation under s. 20.445 (1) (sm). ✓

⑨ \*\*\* NOTE: I looked up the - 17 - governor's veto message pertaining to the provisions mentioned in the revisors note. The retention of "department" here may have been intentional rather than inadvertent. The governor writes

NOTE: Inserts the correct cross-reference. Section 20.930 relates to authorization for incurring attorney fees. Section 20.918 relates to damaged personal articles. 1989 Act 64 created s. 102.81, which included the current reference to s. 20.918. 1989 Act 119 renumbered s. 20.918 to s. 20.930 and created a new, unrelated 20.918 without taking Act 64 into account.

1 **SECTION 58.** 106.13 (1) of the statutes is amended to read:

2 106.13 (1) The department board shall provide a youth apprenticeship program  
3 that includes the grant programs under subs. (3m) and (4).

NOTE: 2003 Wisconsin Act 33, § 1868d, changed "board" to "department." In Act 33, ss. 1863d, 1865d, 1869d, 1870d, 1871, and 1872, the governor vetoed the repeal of the definition of the governor's work-based learning board and all changes of "board" to "department" in ss. 106.12 and 106.13 relating to the governor's work-based learning board for the purpose of maintaining the governor's work-based learning board as the administrator of the youth apprenticeship program, but the change of "board" to "department" in § 1868d was inadvertently retained.

4 **SECTION 59.** 111.01 (2) of the statutes is amended to read:

5 111.01 (2) Industrial peace, regular and adequate income for the employee, and  
6 uninterrupted production of goods and services are promotive of all of these  
7 interests. They are largely dependent upon the maintenance of fair, friendly, and  
8 mutually satisfactory employment relations and the availability of suitable  
9 machinery for the peaceful adjustment of whatever controversies may arise. It is  
10 recognized that certain employers, including farmers and farmer cooperatives, in  
11 addition to their general employer problems, face special problems arising from  
12 perishable commodities and seasonal production which require adequate  
13 consideration. It is also recognized that whatever may be the rights of disputants  
14 with respect to each other in any controversy regarding employment relations, they  
15 should not be permitted, in the conduct of their controversy, to intrude directly into  
16 the primary rights of third 3rd parties to earn a livelihood, transact business, and  
17 engage in the ordinary affairs of life by any lawful means and free from molestation,  
18 interference, restraint, or coercion.

NOTE: Makes spelling consistent with current style and the majority of statutes.

that he "could not, through a veto, transfer the actual appropriation dollar amounts for the youth apprenticeship program from the [department] to the board." It may, therefore, have been necessary to keep the word "department" in this provision.

since the appropriation that pays for the program under sub. (3m) belongs to the department rather than the board.



1       **SECTION 60.** 111.70 (4) (jm) 4. h. of the statutes is amended to read:

2       111.70 (4) (jm) 4. h. Establish a system for resolving all disputes under the  
3       agreement, including final and binding ~~3rd-party~~ 3rd-party arbitration.

NOTE: Corrects spelling.

4       **SECTION 61.** 111.825 (1) (intro.) of the statutes is amended to read:

5       111.825 (1) (intro.) It is the legislative intent that in order to foster meaningful  
6       collective bargaining, units must be structured in such a way as to avoid excessive  
7       fragmentation whenever possible. In accordance with this policy, collective  
8       bargaining units for employees in the classified service of the state, except employees  
9       in the collective bargaining units specified in s. ~~111.825~~ sub. (1m), are structured on  
10      a statewide basis with one collective bargaining unit for each of the following  
11      occupational groups:

NOTE: Corrects form of cross-reference.

12      **SECTION 62.** 112.01 (6) (title) of the statutes is amended to read:

13      112.01 (6) (title) CHECK DRAWN BY FIDUCIARY PAYABLE TO THIR~~D~~ 3RD PERSON. ✓

NOTE: Makes spelling consistent with current style and the majority of statutes.

14      **SECTION 63.** 126.47 (4) (f) of the statutes is repealed.

NOTE: By its terms, s. 126.47 (4) (f) has no application after January 1, 2003. ✓

15      **SECTION 64.** 138.12 (11) (a) of the statutes is amended to read:

16      138.12 (11) (a) A premium finance agreement may provide for the payment by  
17      the insured of a delinquency or default charge of \$1 to a maximum of 5% of any  
18      delinquent installment which is in default for a period of 5 days or more. If the  
19      default results in the cancellation of any insurance contract listed in the agreement,  
20      the agreement may provide for the payment by the insured of a cancellation charge  
21      of \$15. A premium finance agreement may also provide for the payment of statutory  
22      attorneys' attorney fees and statutory court costs if the agreement is referred for

1 collection to an attorney not a salaried employee of the insurance premium finance  
2 company.

NOTE: Makes spelling consistent with current style and the majority of statutes.

3 **SECTION 65.** 150.01 (2) of the statutes is amended to read:

4 150.01 (2) "Affected party" means the applicant, local planning agencies,  
5 governmental agencies, other persons providing similar services in the applicant's  
6 service area, the public to be served by the proposed project, ~~3rd party~~ 3rd-party  
7 payers and any other person who the department determines to be affected by an  
8 application for approval of a project.

NOTE: Corrects spelling.

9 **SECTION 66.** 153.01 (8) of the statutes is amended to read:

10 153.01 (8) "Payer" means a ~~3rd party~~ 3rd-party payer, including an insurer,  
11 federal, state or local government or another who is responsible for payment of a  
12 hospital charge.

NOTE: Corrects spelling in accordance with the Uniform Unclaimed Property Act  
(1981).

13 **SECTION 67.** 165.93 (1) (c) of the statutes is repealed.

NOTE: Section 165.93 (1) (c) defines "sexual contact" as used in that section, but  
"sexual contact" is not used in s. 165.93.

14 **SECTION 68.** 165.93 (1) (d) of the statutes is repealed.

NOTE: Section 165.93 (1) (d) defines "sexual intercourse" as used in that section, but  
"sexual intercourse" is not used in s. 165.93.

15 **SECTION 69.** 166.03 (8) (e) of the statutes is amended to read:

16 166.03 (8) (e) Emergency management employees as defined in par. (d) shall  
17 be indemnified by their sponsor against any tort liability to ~~third~~ 3rd persons  
18 incurred in the performance of emergency management activities while acting in  
19 good faith and in a reasonable manner. Emergency management activities  
20 constitute a governmental function.

\*\*\*\* NOTE: I made a change to the revisor's note. CJS  
<use 2 x>

The reference to the UUPA (1981) seems

to be misplaced;  
the provision  
treated  
appears in  
the chapter  
on health  
care  
information  
CJS

for s. 165.93

for s. 165.93

9 ~~\*\*\*\*\*~~ NOTE: This statute is x-ref'd at s. 167.31(2)(d).  
The x-ref should be treated to reflect the repeal. CJS

NOTE: Makes spelling consistent with current style and the majority of statutes. ✓

1           **SECTION 70.** 167.31 (4) (bg) of the statutes is repealed.

NOTE: By its terms, s. 167.31 (4) (bg) has no application after June 30, 2004. ✓

2           **SECTION 71.** 169.11 (1) (a) (intro.) of the statutes is amended to read:

3           169.11 (1) (a) (intro.) The department shall designate by rule cougars and  
4 members of the family ursidae as harmful wild animals. After consulting with the  
5 department of agriculture, trade and consumer protection and the department of  
6 health and family services, the department of natural resources may designate by  
7 rule other species of wild animals as harmful wild animals if any of the following  
8 apply applies: ✓

NOTE: Corrects grammar.

9           **SECTION 72.** 170.12 (4) (intro.) of the statutes is amended to read:

10          170.12 (4) REVIEW BY OTHER AGENCIES. (intro.) Upon receipt of an application  
11 under sub. (3), the board shall immediately transmit copies of the application to the  
12 department of natural resources and to the historical society for review. The  
13 department of natural resources and the historical society shall, as appropriate,  
14 within 30 days after their receipt of the application, notify the board whether any of  
15 the following apply applies: ✓

NOTE: Corrects grammar.

16          **SECTION 73.** 173.23 (4) (intro.) of the statutes is amended to read:

17          173.23 (4) INJURED OR DANGEROUS ANIMALS. (intro.) A political subdivision or  
18 person contracting under s. 173.15 (1) who has custody of an animal may have the  
19 animal euthanized if there are reasonable grounds to believe that any of the  
20 following apply applies: ✓

NOTE: Corrects grammar. ✓

21          **SECTION 74.** 177.04 (2) of the statutes is amended to read:

Im not sure that it's relevant to cite the UUPA (1981) here.....  
When we prepare uniform acts in bill form we  
alter spelling and style to conform to our in-house  
spelling and style, rather than deferring to the conventions

Used the  
in the  
uniform  
act.  
CJS

177.04 (2) Subject to sub. (4), any sum payable on a money order or similar  
written instrument, other than a ~~3rd-party~~ 3rd-party bank check, that has been  
outstanding for more than 7 years after its issuance is presumed abandoned unless  
the owner, within 7 years, has communicated in writing with the issuer concerning  
it or otherwise indicated an interest as evidenced by a memorandum or other record  
on file prepared by an employee of the issuer.

NOTE: Corrects spelling in accordance with the Uniform Unclaimed Property Act  
(1981).

\*\*\*\* NOTE: ^

SECTION 75. 177.04 (4) (intro.) of the statutes is amended to read:

177.04 (4) (intro.) No sum payable on a travelers check, money order or similar  
written instrument, other than a ~~3rd-party~~ 3rd-party bank check, described in subs.  
(1) and (2) may be subjected to the custody of this state as unclaimed property unless  
one of the following exists:

NOTE: Corrects spelling in accordance with the Uniform Unclaimed Property Act  
(1981).

SECTION 76. 177.20 (7) of the statutes is amended to read:

177.20 (7) Property removed from a safe deposit box or other safekeeping  
repository is received by the administrator subject to the holder's right to be  
reimbursed for the actual cost of the opening and to any valid lien or contract  
providing for the holder to be reimbursed for unpaid rent or storage charges and  
subject to any ~~3rd-party~~ 3rd-party lien. The administrator shall reimburse the  
holder from the proceeds remaining after deducting the administrator's selling cost.

NOTE: Corrects spelling in accordance with the Uniform Unclaimed Property Act  
(1981).

SECTION 77. 177.31 (2) of the statutes is amended to read:

177.31 (2) Any business association that sells in this state its travelers checks,  
money orders or other similar written instruments, other than ~~3rd-party~~ bank

because "bank"  
still appears  
in plain text

1 3rd-party bank checks on which the business association is directly liable, or that  
2 provides such instruments to others for sale in this state, shall, for 3 years after the  
3 date the property is reportable, maintain a record of those instruments while they  
4 remain outstanding, indicating the state and date of issue.

NOTE: Corrects spelling in accordance with the Uniform Unclaimed Property Act  
(1981).

→ *\*\*\* NOTE: I removed the struck through "bank". CJS*  
5 **SECTION 78.** 178.04 (1) of the statutes is amended to read:

6 178.04 (1) Except as provided by s. 178.13, persons who are not partners as to  
7 each other are not partners as to ~~third~~ 3rd persons.

NOTE: Makes spelling consistent with current style and the majority of statutes. ✓

8 **SECTION 79.** 178.07 (4) of the statutes is amended to read:

9 178.07 (4) Where the title to real property is in the name of one or more or all  
10 the partners, or in a ~~third~~ 3rd person in trust for the partnership, a conveyance  
11 executed by a partner in the partnership name, or in the partner's own name, passes  
12 the equitable interest of the partnership, provided the act is one within the authority  
13 of the partner under s. 178.06 (1).

NOTE: Makes spelling consistent with current style and the majority of statutes. ✓

14 **SECTION 80.** 178.34 (1) and (2) of the statutes are amended to read:

15 178.34 (1) A lien on, or right of retention of, the surplus of the partnership  
16 property after satisfying the partnership liabilities to ~~third~~ 3rd persons for any sum  
17 of money paid by the party entitled to rescind for the purchase of an interest in the  
18 partnership and for any capital or advances contributed by the party entitled to  
19 rescind.

20 (2) To stand, after all liabilities to ~~third~~ 3rd persons have been satisfied, in the  
21 place of the creditors of the partnership for any payments made by the party entitled  
22 to rescind in respect of the partnership liabilities.

NOTE: Makes spelling consistent with current style and the majority of statutes. ✓

1       **SECTION 81.** 178.36 (4) of the statutes is amended to read:

2       178.36 (4) When all the partners or their representatives assign their rights  
3       in partnership property to one or more ~~third~~ 3rd persons who promise to pay the  
4       debts and who continue the business of the dissolved partnership, creditors of the  
5       dissolved partnership are also creditors of the person or partnership continuing the  
6       business.

NOTE: Makes spelling consistent with current style and the majority of statutes. ✓

7       **SECTION 82.** 179.23 (title) of the statutes is amended to read:

8       **179.23 (title) Liability to ~~third~~ 3rd parties.**

NOTE: Makes spelling consistent with current style and the majority of statutes. ✓

9       **SECTION 83.** 180.1807 (1) (title) of the statutes is amended to read:

10       180.1807 (1) (title) NOTICE OF ~~3RD-PARTY~~ 3RD-PARTY OFFER.

NOTE: Corrects spelling. ✓

11       **SECTION 84.** 185.93 (3) of the statutes is amended to read:

12       185.93 (3) If anything is recovered or obtained as the result of the action,  
13       whether by means of a compromise and settlement or by a judgment, the court may,  
14       out of the proceeds of the action, award the plaintiff the reasonable expenses of  
15       maintaining the action, including reasonable ~~attorneys'~~ attorney fees, and may  
16       direct the plaintiff to account to the association for the remainder of such proceeds.

NOTE: Makes spelling consistent with current style and the majority of statutes. ✓

17       **SECTION 85.** 185.93 (4) of the statutes is amended to read:

18       185.93 (4) In any action brought in the right of an association by less than 3  
19       per cent of the members or by holders of less than 3 per cent of any class of stock  
20       outstanding, the defendants may require the plaintiff to give security for the  
21       reasonable expenses of defending such action, including ~~attorneys'~~ attorney fees.

1 The amount of such security may thereafter be increased or decreased in the  
2 discretion of the court upon showing that the security provided is or may be  
3 inadequate or is excessive.

NOTE: Makes spelling consistent with current style and the majority of statutes.

4 **SECTION 86.** 186.11 (4) (bh) of the statutes is amended to read:

5 186.11 (4) (bh) A credit union service organization under par. (a) may provide  
6 any service described under par. (b) or approved under par. (bd) through an  
7 investment by the credit union service organization in a ~~third-party~~ 3rd-party  
8 service provider. The amount that a credit union service organization may invest in  
9 a ~~third-party~~ 3rd-party service provider under this paragraph may not exceed the  
10 amount necessary to obtain the applicable services, or a greater amount if necessary  
11 for the credit union service organization to obtain the services at a reduced cost.

NOTE: Makes spelling consistent with current style and the majority of statutes.

12 **SECTION 87.** 186.113 (5) of the statutes is amended to read:

13 186.113 (5) **THIRD-PARTY CHECKS.** Issue ~~third-party~~ 3rd-party checks from an  
14 account of a member upon request of the member.

NOTE: Makes spelling consistent with current style and the majority of statutes.

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15 **SECTION 88.** 196.52 (9) (b) 8. a. of the statutes is amended to read:

16 196.52 (9) (b) 8. a. The public utility shall have the option, subject to  
17 commission approval, to extend the contract, or purchase the electric generating  
18 facility or the improvements to an electric generating facility, at fair market value  
19 as determined by a valuation process that is conducted by an independent ~~third~~ 3rd  
20 party and that is specified in the contract.

NOTE: Makes spelling consistent with current style and the majority of statutes.

21 **SECTION 89.** 223.05 (1) (b) of the statutes is amended to read:

1           223.05 (1) (b) Every security in which trust funds or property are invested shall  
2 immediately upon the receipt of the security by the bank, be transferred to the bank  
3 in its fiduciary capacity for the particular trust or fund by name and be entered in  
4 the proper records as belonging to the particular trust whose funds have been  
5 invested in the security. Any change in the investment of trust funds or property  
6 shall be fully specified in the account of the particular trust to which it belongs, so  
7 that all trust funds and property shall be readily identified at any time by any person.

 **NOTE:** The stricken language was inserted by 2001 Wis. Act 102 without being  
underscored. The insertion was unintended. ✓

8           **SECTION 90.** 227.53 (1) (intro.) of the statutes is amended to read:

9           227.53 (1) (intro.) Except as otherwise specifically provided by law, any person  
10 aggrieved by a decision specified in s. 227.52 shall be entitled to judicial review of the  
11 decision as provided in this chapter and subject to the all of the following procedural  
12 requirements:

**NOTE:** Corrects error in 1999 Wis. Act 85. ✓

13           **SECTION 91.** 234.01 (4) (b) of the statutes is amended to read:

14           234.01 (4) (b) Legal, organizational and marketing expenses, including  
15 payment of ~~attorneys'~~ attorney fees, project manager and clerical staff salaries, office  
16 rent, and other incidental expenses; ✓

**NOTE:** Makes spelling consistent with current style and the majority of statutes.

17           **SECTION 92.** 254.345 of the statutes is repealed. ✓

**NOTE:** By its terms, s. 254.345 has no application after December 31, 2002.

18           **SECTION 93.** 299.83 (6m) (d) 2. (intro.) of the statutes is amended to read:

19           299.83 (6m) (d) 2. (intro.) Notwithstanding subd. 1., this state may at any time  
20 begin a civil action to collect a forfeiture for a violation if any of the following apply  
21 applies:

**NOTE:** Corrects grammar. ✓

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